**THE HON'BLE SRI JUSTICE C.V.RAMULU**

**WRIT PETITION No.9969 of 1995**

**DATED: 02.04.2007**

**Between:**

Sainik Lamination,
S-2, Technocrat, Industrial Estate,
Balanagar, Hyderabad, rep. by its
Managing Director. .. Petitioner

And

The Additional Labour Court,
Hyderabad, rep. by its Presiding Officer and another

.. Respondents

**THE HON'BLE SRI JUSTICE C.V.RAMULU**

**WRIT PETITION No.9969 of 1995**

**ORDER:**

This Writ Petition is filed challenging the award made in I.D.No.311 of 1993, dated 14.11.1994, on the file of Additional Industrial Tribunal-cum-Additional Labour Court, Hyderabad.

(2) The petitioner is the Management. The second respondent is the Workman. It appears, the services of the second respondent were terminated without following the provisions of Section 25 (F) of the Industrial Disputes Act, 1947. The second respondent worked for about a year in the petitioner's Organisation, and thereafter, in view of the fact that he met with an accident on the works spot, he was on leave. Though the second respondent resumed duty, thereafter, immediately, his services were terminated with effect from 30.07.1990.

(3) The petitioner herein-Management filed a detailed counter before the Labour Court denying the allegations made by the second respondent herein-workman. Before the Labour Court, on behalf of the workman, WW.1 was examined and Exs.W1 and W2 were marked, and on behalf of the Management, MW.1 was examined. After detailed consideration of the entire evidence on record, the Labour Court came to the conclusion that the services of the second respondent-workman are terminated illegally, therefore, he is entitled for reinstatement with

back wages. However, at the request of the learned counsel appearing for the Management, the Labour Court awarded an amount of Rs.25,000/- to the second respondent herein as compensation in lieu of the benefits, such as reinstatement, continuity of services etc.

(4) On hearing the submissions made by the learned counsel for both the parties and also on perusing the material available on record, I am of the opinion that the Labour Court has not committed any error calling for interference of this Court under Article 226 of the Constitution of India. It is the petitioner-Management, which had sought such a relief to be passed by the Labour Court. May be, it had pleaded for reasonable compensation. But, awarding of Rs.25,000/- by the Labour Court in lieu of reinstatement, continuity of service and backwages cannot be said to be on higher side.

(5) The Writ Petition is devoid of merits and liable to be dismissed. Accordingly, the Writ Petition is dismissed. No order as to costs.

**(C.V.RAMULU,J)**

02.04.2007
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